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Reply to Nashville Office

November 8, 2005

Chairman Ron Jones Attn: Sharla Dillon Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

> Application of Bristol Tennessee Essential Services for a Certificate of Public RE: Convenience and Necessity to Provide Competing Telecommunications Services Within the State of Tennessee, Docket No. 05-00251.

Dear Chairman Jones:

Please find enclosed for filing, an original and 14 copies of Southeastern Competitive Carriers Association Petition to Intervene. Please date stamp one copy for my records.

Thank you for your assistance regarding this matter. If you have any questions, or if I may be of further assistance, please do not hesitate to contact me.

Very truly yours,

FARRIS MATHEWS BRANAN BOBANGO HELLEN & DUNLAP, PLC

_hala B Welch, Jr.

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

November 8, 2005

IN RE:)	
)	
APPLICATION OF BRISTOL TENNESSEE)	DOCKET NO.
ESSENTIAL SERVICES FOR A)	05-00251
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO PROVIDE COMPETING)	
TELECOMMUNICATIONS SERVICES WITHIN)	
THE STATE OF TENNESSEE)	

PETITION OF SOUTHEASTERN COMPETITIVE CARRIERS ASSOCIATION FOR LEAVE TO INTERVENE

The Southeastern Competitive Carriers Association ("SECCA"), whose members include XO Communications, Inc., US LEC, Inc., and Time Warner Telecom of the Mid-South, LLC hereby petitions the Tennessee Regulatory Authority ("Authority") for leave to intervene pursuant to Tenn. Code Ann. § 4-5-310 (2005), Tenn. Code Ann. § 65-2-107 (2004), and Tenn. Comp. R. & Regs. 1220-1-2-.08 (2005) in the referenced proceeding. In support of this petition, SECCA respectfully states the following:

- 1. SECCA is an association comprised of competitive providers of local exchange carriers qualified as public utilities defined by Tenn. Code Ann. § 65-4-101 (2004) to provide telecommunications services within the state of Tennessee pursuant to certificates of convenience and necessity issued by the Authority.
- 2. SECCA moves to intervene in this matter in order to ensure that its interests are represented. As it is comprised of several certified telecommunication service providers, SECCA's legal rights, duties, privileges, immunities, may be affected or

determined by the outcome of this proceeding, and Petitioner's interest or other legal interests or responsibilities will not be adequately represented unless allowed to intervene.

- 3. Bristol Tennessee Essential Services ("BTES") seeks Authority approval to operate as a competitive local exchange carrier ("CLEC") "throughout the state of Tennessee."1
- 4. BTES seeks a grant of statewide authority so that it may provide services outside of its current existing services footprint.² SECCA has a direct interest in how municipal applicants such as BTES will comply with the competitive safeguards set forth under Tenn. Code Ann. § 7-52-401 (2004) et seq.
- 5. SECCA believes its Petition for Intervention is warranted and is being filed more than seven (7) days prior to the hearing of this matter.
- 6. The Petitioner's participation will not impair the interests of justice or the orderly prompt conduct of the Authority's proceeding.

WHEREFORE, SECCA, respectfully requests that it be granted leave to intervene and participate in this proceeding with all attendant rights and responsibilities, including but not limited to the right to participate in any and all pre-hearing conferences, to produce and cross examine witnesses, to seek data requests and other discovery, and to file motions, briefs, testimony, and/or comments in order to assist the Authority's deliberations and otherwise protect the interests of SECCA and the public interest. Additionally, Petitioner requests to receive copies of any notices, orders or any other

² Ibid at 9

¹ See the Application of Bristol Tennessee Essential Services for a Certificate of Convenience and Necessity to Provide Competing Telecommunications Services, Docket No 05-00251, p 16

documents filed herein, and have such other, further and general relief as the justice of their cause entitle them to receive.

Respectfully submitted,

FARRIS, MATHEWS, BRANAN BOBANGO HELLEN & DUNLAP, P.L.C.

Charles B. Welch, Jr.

Attorney for Southeastern Competitive

Carriers Association

618 Church Street, Suite 300

Nashville, Tennessee 37219

(615) 726-1200

CERTIFICATE OF SERVICE

I hereby certify that an exact copy of the foregoing Petition to Intervene has been sent by United States mail, postage pre-paid, to the following parties of record:

Henry Walker, Esq. Attorney for BTES Boult Cummings, et al. 1600 Division Street, Suite 700 Nashville, Tennessee 37203

Guy Hicks, Esq.
Attorney for BellSouth
BellSouth Telecommunications, Inc
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201

Edward Phillips, Esq Attorney for United Telephone-Southeast, Inc. 14111 Capital Boulevard Wake Forest, North Carolina 27587

This the 8th day of November, 2005.

Charles B. Welch, Jr.